

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:14cv7**

**DIAMOND FALLS ESTATES, LLC,)
SHIRLEY M. BUAFO, and CHARLES)
K. BUAFO,)**

Plaintiffs,)

v.)

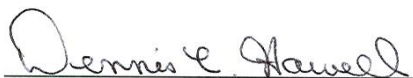
**NANTAHALA BANK & TRUST)
COMPANY, et al.)**

Defendants.)

ORDER

Pending before the Court is the Motion to Dismiss [# 48]. Several Defendants move to dismiss the Second Amended Complaint. On December 15, 2014, Plaintiffs filed a Third Amended Complaint. The filing of an amended pleading supersedes the original pleading and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** the Motion to Dismiss [# 48].

Signed: December 29, 2014



Dennis L. Howell
United States Magistrate Judge

